

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-42 were pending prior to the Office Action. In this Reply, claims 43-53 are added. Therefore, claims 1-53 are pending. Of these, claims 1, 3, 5, 8, 9, 10, 16, 18, 20, 32, 34 and 36 are independent.

§ 103 REJECTION – PARULSKI, NORO

Claims 1-8, 10-15, 20-22, 24-26, 28-30, 32, 40 and 41 stand rejected under 35 USC §103(a) as allegedly being unpatentable over Parulski (US Patent 6,836,617) in view of Noro et al. (US Patent 6,646,677). *See Office Action item 4.* Applicant respectfully traverses.

For a Section 103 rejection to be proper, a *prima facie* case of obviousness must be established. *See M.P.E.P. 2142.* One requirement to establish *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. *See M.P.E.P. 2142; M.P.E.P. 706.02(j).* Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

Contrary to the Examiner's allegation, Parulski and Noro fail to teach or suggest each and every claimed element. The communication apparatus as

recited in claim 1 includes a first communication device, a displaying device, a selecting device, and a second communication device. The first communication device receives images from a recording device and also receives from the recording device identification information from the recording device. The displaying device displays the images received from the recording device and also displays a service menu of services enabled for a registered user of services identified by the identification. In other words, the various services are available to registered users of the system.

In the Office Action, the Examiner admits that Parulski cannot teach or suggest that various services are available to the register users of the system. But the Examiner alleges that Noro discloses this feature and relies upon col. 9, lines 44-48 and col. 22, lines 64-67 of Noro. The Examiner's reliance is misguided.

First, col. 9, lines 44-48 is part of a discussion that explains the flow chart showing the processing of the camera operation device illustrated in Figure 9. Figure 9 merely indicates that if a camera operation device 20 (such as a personal computer or workstation) is connected to a camera management device 12 and has access rights, the camera controlled by the management device 12 will respond and transmit images to the camera operation device.

Col. 22, lines 64-67 merely indicate that a Table 5111 of access rights is kept in a main memory of a camera server device 5100. *See Figure 29 of Noro.* Noro is very specific in that Table 5111 registers client devices with access rights. However, devices are not equivalent to users.

Also, Noro is clear that services are not denied for client devices with no rights of access. Noro discloses that low quality image is transmitted to client devices with no right of access and high quality image is transmitted to client devices with the right of access. *See col. 22, lines 40-54.* Thus, it is clear that Noro cannot teach or suggest that various services are only available to registered users of the system. This is sufficient to distinguish claim 1 from the combination of Parulski and Noro.

It noted that Parulski is not analogous to the invention as claimed. As fully explained in the previous replies, Parulski is directed toward a system to purchase or to lease imaging devices – such as cameras and printers – over the Internet. *See Parulski, column 1, lines 17-20.* The purchaser, i.e. the user, may dictate the configuration of the imaging device to be purchased or leased. *See column 2, lines 42-54.* The system is generally illustrated in Figure 1. As shown, the system includes a computer 10 connected to an Internet service provider 30. The system also includes a product customization center 40 which communicates with the computer 10 to perform the selecting,

configuring, purchasing, billing, and shipping the customized imaging device

80. *See column 4, lines 18-32.*

As shown in Figure 2 of Parulski, the user/purchaser logs onto the Internet site (*see block 100*), selects from a menu of imaging devices and configurations (*see blocks 102 – 110*), enters the billing information (*see block 112*), and uploads the request to the product customization center (*see block 112*). *See also column 6, line 12 – column 8, line 57.* The imaging devices that can be purchased or leased include an electronic camera 300 (*see Figure 3*), a film camera 350 (*see Figure 4*), a digital printer 400 (*see Figure 5*) and a digital display device 500 (*see Figure 6*). The imaging device is customized per purchaser's request and then shipped. *See Parulski, Figure 2, blocks 114 – 124; column 8, line 58 – column 9, lines 52.* As such, Parulski is directed toward providing services to acquiring the imaging devices, such as cameras and printers, over the Internet, i.e. the camera is not in possession of the user.

In contrast, the communication apparatus as recited in claim 1 is directed toward specifying services, such as printing, related to the images to be provided by a service center. This requires that the camera be in possession by the user.

Also, Parulski does not teach or suggest the other features of claim 1 – such as the displaying device – as recited. In the Office Action, the Examiner

relies upon column 6, lines 18-22; column 12, lines 34-41; column 17, lines 10-18; and column 19, lines 49-54 of Parulski to allegedly teach the feature of the displaying device.

The displaying device as recited displays the image received from the camera and also displays a service menu of services associated with the identification information and enabled for the registered user. As disclosed in the specification, the services include printing the image or audio file, uploading the image for public viewing, emailing the image, etc. *See Figure 3 of the present disclosure.* In other words, the service offered is related to processing or handling the image received from the camera. None of the relied upon portions of Parulski discloses such a feature, which is logical in Parulski, since the camera is not in possession to be used.

Column 6, lines 18-22 is portion of Parulski that describes the system as illustrated in Figure 1 and states, "The ISP 30 uses an address, such as an Internet protocol (IP) address, to establish a connection between the purchaser's computer 10 and a product provider or seller which owns or controls the product customization center 40." This portion merely indicates that the purchaser can log on to a website of the imaging device seller using the Internet.

Column 12, lines 34-41 is a portion of Parulski that describe an example of an imaging device – a digital printer 400 (*see Figure 5*) in this instance – that can be customized and ordered via the ordering system illustrated in Figure 2.

Column 17, lines 10-18 is a portion of Parulski that describe another example of an imaging device – one-time use cameras in this instance – that can be customized and ordered. *See also Figure 10.*

Finally, column 19, lines 49-54 merely indicate that the imaging devices with requested features may be leased instead of purchased outright.

At best, the relied upon portions merely indicate that the system of Parulski may be used to purchase or lease imaging devices over the Internet. There is nothing in these portions that can reasonably be interpreted to describe a displaying device of any kind, let alone the displaying device as recited. Noro has not been relied upon to correct for at least the above-noted deficiencies of Parulski.

Further, the Examiner acknowledges that Parulski does not teach or suggest the first and second communication devices as recited in claim 1, but alleges that Noro cures these deficiencies of Parulski. *See Office Action, page 8.* The Examiner's reliance is misguided.

Noro is directed to a surveillance system for remotely controlling sensing of images using still camera, video camera, and the like. *See Noro, column 1, lines 10-16.* As illustrated in Figure 5, Noro discloses that a plurality of cameras (16, 18) are distributed and interface with corresponding plurality of camera management devices (12, 14). The plurality of camera management devices can be distributed and remotely controlled through a camera operation device 20 for surveillance. The zooming, panning, and tilting operations of the cameras 16, 18 may be controlled via the camera operation device 20. *See Noro, column 7, lines 30-31.* Noro, which is directed to a camera surveillance system, is not related to the image and audio file processing as recited in the claimed invention. Thus, like Parulski, Noro is also not analogous.

Further, the Examiner's alleged motivation to combine Noro with Parulski is suspect. Parulski is directed to a system of purchasing customized cameras and printers, i.e. the purchaser is not in possession of the cameras yet. Thus, the motivation proffered by the Examiner – to optimize real-time camera control for a client having access control – makes no sense since the user is not in possession of the camera at all. Further, the purpose of Parulski – purchasing cameras over the Internet – is not furthered by combining with Noro. Then by definition, there is no motivation to combine and any rejection based on Parulski and Noro is not valid.

For at least the above stated reasons, independent claim 1 is distinguishable over Parulski and Noro.

Independent claim 3 recites, in part “a recording device that records the identification information and a service menu associated with the identification information and enabled for the registered user identified by the identification information” and “wherein the communication device transmits the service menu to the registered user.” In other words, the services are available to the registered users. As amply demonstrated above, Parulski and Noro cannot teach or suggest this feature, which is sufficient to distinguish claim 3 over the combination of Parulski and Noro.

In addition, Independent claim 3 recites, in part “a communication device that receives identification information of a camera owned by a user from the user.” The Examiner alleges that Parulski, column 20, lines 15-23 teaches this feature. *See Office Action, page 9.* Based upon the portion of Parulski cited, it appears that the Examiner is alleging that the product customization center 44 as illustrated in Figure 2 is equivalent to the communication device as recited. Apparently, the Examiner is under the impression that the camera is already in the user’s possession when the user logs onto the product customization center 44.

A closer observation of the relied-upon portion clearly shows otherwise. The relied-upon portion describes the imaging device purchasing or leasing process as illustrated in Figure 11. The user logs onto the Internet site and selects a list of features that can be incorporated into the imaging device (such as a camera) that is about to be purchased or leased. In the relied-upon portion, Parulski states that the purchaser enters delivery and billing information in block 162 of Figure 11. *See Parulski, column 20, lines 13-15.* In block 164, the electronic database 144 provides the product configuration center 50 with the purchaser's selected configuration and personalization information. *See Parulski, column 20, lines 15-18.* Then in block 168, the manufacturing customization computer 52 selects the particular software programs required to provide the features selected by the purchaser for the selected imaging device 80. *See Parulski, column 20, lines 19-23.*

In other words, the entirety of the relied-upon portion merely describes the fulfillment of purchaser's requests for a configured imaging device when the imaging device is purchased. Parulski cannot teach or suggest the feature of a communication device that receives identification information of a camera owned by a user from the user since the camera is not available to be used.

Independent claim 5 recites, in part "a communication device that receives identification information of a camera used by a registered user

identified by the identification information”, “a recording device that records user setting information on the registered user” and “a device that reads from the recording device the user setting information associated with the identification information received by the communication device and transmits the read user setting information to another communication apparatus.” It is demonstrated above that these claims are not taught or suggested in Parulski and Noro. Accordingly, independent claim 5 is distinguishable over the combination of Parulski and Noro.

Independent claim 8 recites, in part “a recording device that records utility data showing services enabled for the registered user and being associated with the identification information” and “a determining device that determines an order of services in a service menu to be offered to the registered user in accordance with the utility data.” It is clear that Parulski and Noro cannot teach or suggest these features.

But in addition, independent claim 8 also recites “wherein the communication device transmits the service menu showing the services in the order determined by the determining device.” The Examiner simply refers to column 7, line 66 – column 8, line 4; column 17, lines 10-18; and column 19, lines 49-54 of Parulski to allegedly teach this feature.

Contrary to the Examiner's allegation, these relied-upon portions merely describe an example of customization that is available when purchasing a one-time use camera and that the cameras with requested features may be leased instead of purchased outright. The Parulski is completely silent regarding transmitting service menu of any kind and Noro is not relied upon to correct for this deficiency. For at least these reasons, claim 8 is distinguishable over Parulski and Noro.

Independent claim 10 recites, in part "a communication device that receives identification information of a camera used by a registered user identified by the identification information and service information, or receives the identification information, an image and the service information from the registered user", "a recording device that records user information on the registered user associated with the identification information", "a device that reads from the recording device the user information associated with the identification information received by the communication device to specify the registered user, and provides a service corresponding to the service information to the registered user." It is demonstrated above that Parulski and Noro cannot teach or suggest these features. For at least this reason, independent claim 10 is distinguishable over the combination of Parulski and Noro.

Independent claim 20 recites, in part “receiving images from a camera used by a registered user identified by identification information connected with a communication apparatus and the identification information of the camera from the camera” and “displaying the images and a service menu associated with the identification information and enabled for the registered user identified by the identification information on a displaying device of the communication apparatus.” It is demonstrated above that Parulski and Noro cannot teach or suggest these features. For at least this reason, independent claim 20 is distinguishable over the combination of Parulski and Noro.

Independent claim 32 recites, in part “receiving the identification information and service information indicating a service, or receiving the identification information, an image and the service information from the registered user” and “reading from the recording device the user information associated with the received identification information to specify the registered user, and providing the service to the registered user.” It is demonstrated above that Parulski and Noro cannot teach or suggest these features. For at least this reason, independent claim 32 is distinguishable over the combination of Parulski and Noro.

Claims 2, 4, 6-7, 11-15, 21-22, 24-26, 28-29, 32, 40 and 41 depend from independent claims 1, 3, 5, 10, 20 and 32 directly or indirectly. Thus, for at

least due to the dependency thereon, these dependent claims are also distinguishable over the combination of Parulski and Noro.

For at least the above stated reasons, Applicant respectfully request that the rejection of claims 1-8, 10-15, 20-22, 24-26, 28-30, 32, 40 and 41 based on Parulski and Noro be withdrawn.

§ 103 REJECTION – PARULSKI, NORO, JEBENS

Claims 9, 23, 27, 31, 38 and 39 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Parulski and Noro and in further view of Jebens et al. (US Patent 6,332,146). *See Office Action item 5.* Applicant respectfully traverses.

Independent claim 9 recites, in part “a communication device that receives identification information of a camera used by a registered user identified by the identification information and a password of the registered user from the registered user” and “a device that allows services to the registered user when the passwords are the same and prohibits the services to the registered user when the passwords are different.” It is demonstrated above that Parulski and Noro cannot teach or suggest this feature. Jebens is not relied upon to correct for at least this deficiency of Parulski and Noro.

Claim 9 also recites “a recording device that records a password associated with the identification information.” The Examiner merely alleges that column 18, lines 27-30 of Parulski teaches the feature of “a recording device that records the information.” The Examiner is not even alleging that the recording device records the password associated with the identification information. Thus, on its face, the Examiner’s allegation fails.

Also, the relied upon portion of Parulski merely indicates that the electronic database 44 provides the product configuration center 50 with the purchaser’s selected configuration and personalization information for the product that the purchaser purchased. This portion is entirely silent regarding recording a password, let alone a password associated with identification information of a camera.

For at least the above-stated reasons, independent claim 9 is distinguishable over the combination of Parulski, Noro and Jebens.

Claims 23, 27 and 31 depend from independent claim 20 directly or indirectly and it is shown above that claim 20 is distinguishable over the combination of Parulski and Noro. Jebens is not relied upon to correct for at least the above-noted deficiencies of Parulski and Noro. Thus, claim 20 is distinguishable over the combination of Parulski, Noro and Jebens. Then for at

least due to the dependency thereon, claims 23, 27 and 31 are also distinguishable over Parulski, Noro and Jebens.

Claims 38 and 39 depend from independent claim 1 directly or indirectly and it is shown above that claim 1 is distinguishable over the combination of Parulski and Noro. Jebens is not relied upon to correct for at least the above-noted deficiencies of Parulski and Noro. Thus, claim 1 is distinguishable over the combination of Parulski, Noro and Jebens. Then for at least due to the dependency thereon, claims 38 and 39 are also distinguishable over Parulski, Noro and Jebens.

Applicant respectfully requests that the rejection of claims 9, 23, 27, 31, 38 and 39 based on Parulski, Noro and Jebens be withdrawn.

§ 103 REJECTION – PARULSKI, NORO, SLOANE

Claims 16-19, 33-37 and 42 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Parulski and Noro and in further view of Sloane (US Patent 5,918,211). *See Office Action item 6.* Applicant respectfully traverses.

Independent claim 16 recites, in part “a communication device that receives the identification information of the camera from the registered user” and “wherein the communication device transmits the read after-sales service

information to the registered user.” It is demonstrated above that Parulski and Noro cannot teach or suggest this feature. Sloane is not relied upon to correct for at least this deficiency of Parulski and Noro.

Further, Sloane does not teach or suggest the feature of “a reading device that reads from the recording device the after-sales service information associated with the identification information received by the communication device” as the Examiner alleges. Sloane is directed to providing a purchaser with information to influence the purchaser’s decision at the point of sale – while standing at an aisle of a store. *See Sloane, column 1, lines 9-15.* In essence, Sloane is directed to providing particularized advertisement to each purchaser.

Column 4, lines 28-32 of Sloane (relied upon by the Examiner) merely indicates that the purchaser is identified and is offered promotional and discount information based on his or her past purchasing history. In other words, the past history information is utilized by the system to determine what promotion information should be provided to the purchaser to influence his or her purchasing decision. An example is a promotion on an alternate product that is competitive with the product that the purchaser is considering purchasing.

However, Sloane is completely silent regarding providing after-sales service on the camera itself. At best, if Parulski is modified as suggested in Sloane, once the user makes a purchasing decision in the system as described in Parulski, the system would then provide a list of alternate camera models that may be available to the purchaser. Parulski would not provide after-sales information on the camera already purchased.

Column 7, lines 30-41 of Sloane – also relied upon by the Examiner – is deficient as well. This portion merely indicates that retailer is able to store all purchasing history information of purchasers for marketing purposes. Again, Sloane is silent regarding the feature of the communication device transmitting after-sales service data to the user as recited.

For at least the reasons stated above, independent claim 16 is distinguishable over the combination of Parulski, Noro and Sloane.

Independent claim 18 recites “a communication device that receives the identification information of the camera and at least one of status information of the camera and history data related to utilization of the camera from the registered user”, “a recording device that records after-sales service information associated with the identification information and with at least one of the status information and the history information”, “a reading device that reads from the recording device the after-sales service information associated with

the identification information and with the at least one of the status information and the history information received by the communication device” and “wherein the communication device transmits the read after-sales service information to the registered user.” It is demonstrated above that Parulski and Noro cannot teach or suggest these features. Sloane is not relied upon to correct for at least these deficiencies of Parulski and Noro. Accordingly, independent claim 18 is distinguishable over the combination of Parulski, Noro and Sloane.

Independent claim 34 recites, in part “receiving the identification information from the registered user” and “transmitting the after-sales service information to the registered user.” It is demonstrated above that the combination of Parulski, Noro and Sloane cannot teach or suggest these features. Accordingly, claim 34 is distinguishable over the combination of Parulski, Noro and Sloane.

Independent claim 36 recites, in part “receiving the identification information and at least one of the status information and the history information from the registered user”, “reading from the recording device the after-sales service information associated with the received identification information and with at least one of the received status information and the received history information” and “transmitting the read after-sales service

information to the registered user.” It is demonstrated above that the combination of Parulski, Noro and Sloane cannot teach or suggest these features. Accordingly, claim 36 is distinguishable over the combination of Parulski, Noro and Sloane.

Claims 17, 19, 35 and 37 depend from independent claims 16, 18, 34 or 36. Accordingly, claims 17, 19, 35 and 37 are also distinguishable over the combination of Parulski, Noro and Sloane for at least due to the dependencies thereon from the independent claims.

Claim 33 depends from independent claim 32 and it is demonstrated above the claim 32 is distinguishable over the combination of Parulski and Noro. Sloane is not relied upon to correct for at least the above noted deficiencies of Parulski and Noro. Therefore, claim 32 is distinguishable over the combination of Parulski, Noro and Sloane. For at least due to the dependency thereon, claim 33 is also distinguishable over the same combination.

Claim 42 depends from independent claim 8 and it is demonstrated above the claim 8 is distinguishable over the combination of Parulski and Noro. Sloane is not relied upon to correct for at least the above noted deficiencies of Parulski and Noro. Therefore, claim 8 is distinguishable over the combination

of Parulski, Noro and Sloane. For at least due to the dependency thereon, claim 42 is also distinguishable over the same combination.

Applicant respectfully requests that the rejection of claims 16-19, 33-37 and 42 based on Parulski, Noro and Sloane be withdrawn.

NEW CLAIMS

In this Reply, claims 43-53 are added. No new matter is presented. The new claims are distinguishable over the cited references, individually or in any combination, for at least due to their dependencies from independent claims.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance.

Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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